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COATS & BENNETT/OZ  
1400 CRESCENT GREEN  
SUITE 300  
CARY NC 27518

In re Application of: THORKELSSON et al.  
Application No. 10/579610  
Filed: May 17, 2006  
For: WIRELESS E-MAIL SYSTEM AND  
METHOD FOR USING SAME

DECISION ON REQUEST TO  
PARTICIPATE IN PATENT  
PROSECUTION HIGHWAY PILOT  
PROGRAM AND PETITION TO  
MAKE SPECIAL UNDER 37 CFR  
1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed July 15, 2008, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the Canada Patent Office (hereinafter, CA IPO);
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the CA IPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the CA IPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the CA IPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the CA IPO examiner in the CA IPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and

(7) The required petition fee under 37 CFR 1.17(h).

It is noted that since the CA application (2584232) with the allowed claims is not the same application as the CA application (2493907) for which priority is claimed by the US application, applicant is required to explain the relationship between the 2 CA applications. Applicant has failed to do this. However, based on what applicant stated in the claims correspondence table on the request form, the Office has concluded that the US application and the CA application with the allowed claims are both national stage application of the same PCT application and therefore, both of these application are claiming priority to the first CA application 2493907. Applicant should note that in the future, applicant needs to clearly explain the relationship between the application with the allowed claims and the priority application if these 2 applications are not the same case.

Accordingly, the request to participate in the PPH pilot program and petition are found to comply with the above requirements, and, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

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